

REMARKS

This is in response to the Office Action of 04 August 2006. Claims 26-31 are pending in the application, and Claims 26-31 have been rejected.

By this Response, new Claim 32 is added, and arguments traversing the objections and rejections are presented.

No new matter has been added.

In view of the amendments above and remarks below, Applicants respectfully request reconsideration and further examination.

About The Invention

The present invention relates generally to a location-based product that includes a location information resource for providing the present location of the location-aware product to within some margin of error, and such present location information is included by the location-aware product in various outputs, including but not limited to, location stamps in files for create, open and/or modify file operations. In a further aspect, location information may be used in determining the time zone or zones in which one or more operations have occurred, and to provide the basis for updating clocks or other resources useful for time-stamping of various operations and outputs. In a still further aspect, information displays may be sorted by accounting for the differences in times and dates introduced through time-stamping of events in different time zones.

Claim Objections

Claims 26, 27 and 29 have been objected to because of an alleged informality. More particularly, the Examiner states that "bolding character" into the limitations of the Claims is not accepted, and has required correction.

Applicant respectfully traverses the Claim objections and requests that these objections be withdrawn.

First, Applicant notes that: 1) the practice of bolding the marked-up amended portions of the text makes locating and reading the marked-up amended portions of the text much easier; 2) the practice of bolding the marked-up amended portions of the text has been used for years without objection from USPTO; and 3) the practice of bolding the marked-up amended text is not intended to introduce any font or style changes to the Claims, and even if the Examiner were to interpret the amendment in that way, there is no impact on the scope of the Claim language.

Second, Applicant respectfully submits the Examiner has not made of record any basis for the objections. Applicant asserts that 37 CFR §1.121 does not preclude the practice of bolding the amended portions of the text.

Third, the objection and requirement for correction is confusing. Since the Examiner states that "bolding" is not accepted, Applicant believes this to mean that it is not entered. It is not clear how to amend the Claims to remove bolding that has not been entered.

Fourth, the objection to the manner of making the Claim amendments is moot since the practice of bolding the marked-up amended portions of the text concludes with the Previously Presented Claims being written with the underlines, strike-throughs, brackets, and "bolding" being removed (i.e., the manner in which Claims 26, 27 and 29 appear in this paper).

For at least these reasons, Applicant respectfully submits that the Claim objections are improper and should be withdrawn, or in the alternative are moot.

Rejections under 35 USC §103(a)

Claims 26-29 have been rejected under 35 USC §103(a) as being unpatentable over Usami (US Patent 6,731,746) in view Eintracht, et al., (US Patent 6,687,878). Additionally, Claims 30-31 have been rejected under 35 USC §103(a) as being unpatentable over Usami (US Patent 6,731,746) in view Eintracht, et al., (US Patent 6,687,878) as applied to Claim 29, and in further

view of Yamada, et al. (US Patent 6,208,935).

Applicant respectfully traverses the rejections of Claims 26-31, and requests that these rejections be withdrawn.

Below, Applicant discusses the disclosures of Usami, Eintracht, et al., and Yamada, et al., cited by the Examiner, and shows that the cited references and combinations of references do not teach, suggest, or provide motivation for the invention defined by Applicant's Claims.

Usami discloses an automatic sorting system for an electronic telephone directory to sort telephone numbers in an electronic telephone directory, in which the automatic sorting system prepares a calling information list that indicates an expected calling frequency for each day of the week and time period, on the basis of a priority numerical value of the telephone numbers according to the calling times and function setting conditions of the telephone numbers in each day of the week and time period; and in which the automatic sorting system automatically sorts and indicates the telephone numbers in descending order of the expected calling frequency with reference to the calling information list for days of the week and time periods when the electronic telephone directory is opened. In other words, Usami discloses displaying a list of telephone numbers that is sorted by the probability of those telephone numbers being used at the time that that list of telephone numbers is displayed. These telephone numbers are ones that are called by a user. Usami discloses keeping track of a user's calling patterns so that the probability of a telephone number being used during a particular time period, on a particular day of the week, can be computed. A sorted list of telephone numbers prepared in accordance with Usami, changes depending on the day of the week and/or time of day that the sorted listing of telephone is generated because the probability of using any particular telephone may change with respect to the day of the week and/or time of day.

Usami does not disclose displaying a listing of computer files, does not disclose displaying time and time zone information with the computer files, and

does not give the same meaning to the expression “time zone” as is found in Applicant’s specification and Claims.

In the field of computer systems, it is well-known that a directory listing provides a list of the computer files associated with, that is contained within, that directory. Although telephone numbers are commonly listed in telephone books, which may be referred to telephone directories, such telephone directories are not the same as a listing of computer files. The telephone numbers of Usami are different from the computer files of the Claimed invention.

The listing of telephone numbers as disclosed by Usami, does not include the time and time zone information recited in Applicant’s Claims. Applicant’s recitation of time zones refers to the conventional meaning of the expression “time zones” (e.g., Eastern Standard Time (EST), Pacific Daylight Time (PDT)). Usami uses time zone to refer to a period of the day, such as 12:00 - 6:00. More particularly, Usami seems to use the expression “time zone” interchangeably with the expression “time period”. Usami uses these expressions to refer to periods of time during a day when calls to one or more telephone numbers have been made. Usami does not use the expression “time zone” to refer to the various longitudinal areas into which the world is divided for the purpose of providing a synchronized system of time which reflects the local time at different geographical regions.

The Examiner states that Usami discloses “receiving a directory listing command for listing computer files within the directory”. The Examiner further explains that the telephone directory taught by Usami may be associated with a computer file since a computer is inherent in the system of Usami. However, Applicant respectfully asserts that there is no disclosure by Usami that meets the Claim language of “receiving a directory listing command for listing computer files within the directory”. Applicant agrees that Usami discloses retrieving telephone numbers from a memory for display of those telephone numbers, but this is simply not the same as producing for display a list of computer files as required by the Claims.

Eintracht, et al., disclose a system for collaborative document annotation whereby notes or annotations associated with a document, such as an image or text document, are stored on a web server thereby allowing a plurality of remotely located users to share their work product. The documents and associated annotations are treated independently from each other. Separate data structures are created for the documents and for the associated annotations thus permitting their independent management. Eintracht, et al., also disclose that the system may be implemented as software, a portion of which executes on a server and a portion that executes on a client. Eintracht, et al., further disclose that annotations, which are received at the server from a remote client, include a local time stamp which the server side software compares to its local clock to determine a time zone in which the client is located. However, Eintracht, et al., do not disclose producing a directory listing of computer files where that listing includes time zone information as is required by Applicant's Claims.

The Examiner states that Eintracht, et al., disclose a system that includes the feature of displaying a directory listing of computer files wherein the directory listing of computer files includes time and time zone information associated with each of the computer files. Applicant agrees that Eintracht, et al., disclose providing data from the server side to the client side so that the client may display a listing of computer files. However, Applicant respectfully asserts that Eintracht, et al., does not disclose that the directory listing of the computer files also includes time and time zone information. The time zone information that is computed on the server side by the system of Eintracht, et al., is stored in an annotation event data structure, and is not made part of a directory listing of computer files as claimed by Applicant (see Eintracht, et al., col. 9, line 61 through col. 10, line 5; Fig. 10, and col. 16, line 65 through col. 17, line 10).

The Examiner also states that it would have been obvious to modify the telephone directory teaching of Usami by incorporating the synchronization/updating system for collaborative documents as taught by

Eintracht, et al.; and that the motivation for such a combination is enhancing the telephone directory of Usami by allowing it to display the telephone directory listing in time and time zone for different geographical areas by using a notes server enabled to calculate the difference between its own clock and the client clock to obtain time zone of the client each time a notes synchronization is initiated at the client side. With respect, Applicant asserts first that there is no such motivation to be found in the references, second the combination described by the Examiner does not make sense as a product, and third, the combination does not produce the claimed invention. Although the cited references do contain words such as "directory" and "time zone", the recited elements of Applicant's Claims (i.e., the directory listing of computer files includes time and time zone information associated with each of the computer files (see Applicant's Figs. 14-15 and 17-18)) is not found in these references.

In connection with Claims 26-29, Applicant respectfully submits that the combination of Usami with Eintracht, et al., does not disclose, suggest or provide motivation for the invention defined by the Claims.

Yamada, et al., disclose (in accordance with the Abstract) a map application system that employs an automatic stroll method of strolling through a virtual space into the route, and distribution information change according to the interests of a user and the time of day (daytime vs. nighttime, etc.). An article contributed to a contribution server from a contribution terminal is stored temporarily in a contribution DB. Each article is converted to information related to a spatial position by a spatial information structure process and is stored in a spatial information DB. The contribution server returns an article with the relation to the position of the neighborhood according to the input of a region name on a stroll terminal. The stroll terminal starts a stroll on the basis of a region name inputted as an initial value, and automatically sets a route on the basis of the interest information of a user. Information about the route is provided from contribution server and is appropriately displayed.

Claims 30-31 depend from independent Claim 29. As discussed above,

neither Usami or Eintracht, et al., alone or in combination, disclose, suggest, or provide motivation for the invention as defined by independent Claim 29. The combination of Usami, Eintracht, et al., and Yamada, et al., does not produce the claimed invention.

In view of the foregoing, Applicant respectfully submits that the rejections under 35 USC §103(a) are improper and should be withdrawn.

New Claim 32

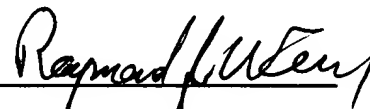
New Claim 32 depends from independent Claim 29, and further recites determining the time zone information based on location information.

Conclusion

All of the rejections in the outstanding Office Action of 04 August 2006 have been responded to, and Applicant respectfully submits that the pending Claims 26-32 are now in condition for allowance.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Hillsboro, Oregon